

June 2003

Update: Traffic Benchbook— Revised Edition, Volume 1

Note:

Pursuant to Supreme Court Order No. 1998-50 and No. 2001-19, effective May 1, 2003, the Court adopted new subchapter 3.900 of the Michigan Court Rules, deleted subchapter 5.900, and amended rules in subchapter 6.900, all with regard to proceedings involving juveniles. Every effort has been made to identify and update the information contained in this publication where the amendments have a substantive impact. Changes limited to alpha-numeric order and related ministerial revisions are reserved for the next comprehensive update of the publication.

CHAPTER 1

Required Procedures for Civil Infractions

1.3 Courts With Jurisdiction of Traffic Civil Infractions

Replace the paragraph beginning with, “However, the Family Division . . . ,” with the following paragraph:

Effective May 1, 2003, MCR 3.903(B)(3) changed the definition of “offense by a juvenile.” “Offense by a juvenile” means an act in violation of a criminal statute, a criminal ordinance, a traffic law, or a provision of MCL 712A.2(a) or (d). The former court rule limited the jurisdiction of the Family Division of Circuit Court to traffic violations other than civil infractions. Thus, the new definition no longer precludes the Family Division from exercising jurisdiction over a juvenile accused of a civil infraction.